

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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CSABA MAROSAN,

Plaintiff,

v.

DECISION AND  
ORDER  
13-CV-825A(F)

TROCAIRE COLLEGE,  
THOMAS J. MITCHELL,  
ROBERT M. MOCK, and  
PAUL B. HURLEY, Jr.,

Defendants.

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The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On February 5, 2015, Magistrate Judge Foschio filed a Report and Recommendation (Dkt. No. 16), recommending that defendants' motion to dismiss (Dkt. No. 8) for failure to state a claim should be granted in part and denied in part.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendants' motion to dismiss the Complaint for failure to state a claim is granted in part and denied in part.

The case is referred back to Magistrate Judge Foschio for further proceedings.

IT IS SO ORDERED.

*Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: March 27, 2015